

Daily Digest

HIGHLIGHTS

Senate passed H.R. 4, Energy Policy Reform.

The House passed H.R. 3231, Barbara Jordan Immigration Reform and Accountability Act.

Senate

Chamber Action

Routine Proceedings, pages S3337–S3457

Measures Introduced: Eighty-six bills and three resolutions were introduced, as follows: S. 2250–2335, and S. Res. 252–254. **Pages S3433–35**

Measures Reported:

S. 864, to amend the Immigration and Nationality Act to provide that aliens who commit acts of torture, extrajudicial killings, or other specified atrocities abroad are inadmissible and removable and to establish within the Criminal Division of the Department of Justice an Office of Special Investigations having responsibilities under that Act with respect to all alien participants in war crimes, genocide, and the commission of acts of torture and extrajudicial killings abroad, with an amendment in the nature of a substitute. (S. Rept. No. 107–144)

H.R. 495, to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the “Ron de Lugo Federal Building”.

H.R. 819, to designate the Federal building located at 143 West, Liberty Street, Medina, Ohio, as the “Donald J. Pease Federal Building”.

H.R. 3093, to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the “William L. Beatty Federal Building and United States Courthouse”.

H.R. 3282, to designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the “Mike Mansfield Federal Building and United States Courthouse”.

S. Res. 109, designating the second Sunday in the month of December as “National Children’s Memorial Day” and the last Friday in the month of April as “Children’s Memorial Flag Day”, with an amendment.

S. Res. 245, designating the week of May 5 through May 11, 2002, as “National Occupational Safety and Health Week”.

S. Res. 249, designating April 30, 2002, as “Dia de los Ninos: Celebrating Young Americans”.

S. 410, to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence.

S. 1721, to designate the building located at 1 Federal Plaza in New York, New York, as the “James L. Watson United States Court of International Trade Building”, with amendments.

S. 1974, to make needed reforms in the Federal Bureau of Investigation, with an amendment in the nature of a substitute.

S. Con. Res. 102, proclaiming the week of May 4 through May 11, 2002, as “National Safe Kids Week”. **Page S3433**

Measures Passed:

Energy Policy Act: By 88 yeas to 11 nays (Vote No. 94), Senate passed H.R. 4, to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, after striking all after the enacting clause and inserting in lieu thereof the text of S. 517, Senate companion measure, as amended, and after taking action on the following amendments proposed thereto: **Pages S3342–S3418**

Adopted:

Bingaman (for Fitzgerald) Amendment No. 3258 (to Amendment No. 2917), to strike the provision authorizing loan guarantees for an Alaska natural gas transportation project. **Page S3360**

Subsequently, the adoption was vitiated.

Page S3397

Feinstein Modified Amendment No. 3170 (to Amendment No. 2917), to reduce the period of time in which the Administrator may act on a petition by

1 or more States to waive the renewable fuel content requirement. **Page S3360**

Bingaman (for Baucus) Amendment No. 3082 (to Amendment No. 2917), to provide that certain gasoline and diesel fuel be treated as entered into the customs territory of the United States.

Pages S3354, S3359–60

Bingaman (for Breaux) Amendment No. 3130 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to allow a credit against income tax for taxpayers owning certain commercial power takeoff vehicles.

Pages S3360–61

Bingaman (for Harkin) Amendment No. 3331 (to Amendment No. 2917), to further encourage development of hydrogen refueling infrastructure.

Page S3361

Bingaman (for Gramm) Amendment No. 3336 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to provide for nonrecognition of gain on dispositions of dairy property which is certified by the Secretary of Agriculture as having been the subject of an agreement under the bovine tuberculosis eradication program.

Page S3365

Reid Amendment No. 3338 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to modify energy credit for combined heat and power system property.

Page S3361

Bingaman (for Baucus) Amendment No. 3349 (to Amendment No. 2917), to modify the credit for the production of fuel from nonconventional sources regarding refined coal.

Page S3361

Bingaman (for Baucus) Amendment No. 3350 (to Amendment No. 2917), to modify the credit for the production of electricity to include small irrigation power.

Page S3362

Bingaman (for Baucus) Amendment No. 3351 (to Amendment No. 2917), to modify the credit for residential energy efficient property by substituting natural gas furnaces for natural gas heat pumps.

Page S3362

Bingaman (for Baucus/Grassley) Amendment No. 3352 (to Amendment No. 2917), to modify the incentives for biodiesel.

Page S3362

Bingaman (for Baucus) Amendment No. 3353 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to provide for the treatment of sales or dispositions to implement Federal Energy Regulatory Commission or State electric restructuring policy.

Pages S3363–64

Bingaman (for Hollings) Amendment No. 3356 (to Amendment No. 2917), to apply temporary regulations to certain output contracts.

Page S3364

Reid (for Bingaman) Amendment No. 3359 (to Amendment No. 2917), to modify the credit for new energy efficient homes by treating a manufac-

tured home which meets the energy star standard as a 30 percent home.

Page S3364

Durbin Amendment No. 3342 (to Amendment No. 2917), to strike the nonbusiness use limitation with respect to the credit for the installation of certain small wind energy systems.

Page S3365

Murray/Cantwell Amendment No. 3326, to modify the specifications for a fuel cell power plant eligible for the extension of the energy tax credit.

Pages S3381–82

By 52 yeas to 47 nays (Vote No. 89), Harkin Amendment No. 3195 (to Amendment No. 2917), to direct the Secretary of Energy to revise the seasonal energy efficiency ratio standard for central air conditioners and central air conditioning heat pumps within 60 days.

Pages S3342, S3365–71, S3390

Reid (for Brownback) Modified Amendment No. 3239 (to Amendment No. 2917), to establish a greenhouse gas inventory, reductions registry, and information system.

Pages S3354–57, S3394

Bingaman (for Lincoln) Amendment No. 3343 (to Amendment No. 2917), to modify the credit for the production of fuel from nonconventional sources to include production of fuel from agricultural and animal waste.

Page S3396

Bingaman (for Lincoln) Amendment No. 3344 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to clarify excise tax exemptions for agricultural aerial applicators.

Page S3396

Murkowski Amendment No. 3362 (to Amendment No. 2917), to amend the Internal Revenue Code to modify the definition of Rural Airport.

Page S3396

Murkowski Amendment No. 3363 (to Amendment No. 2917), to amend the Internal Revenue Code to exempt small seaplanes from ticket taxes.

Page S3396

Reid (for Kohl) Modified Amendment No. 3346 (to Amendment No. 2917), to modify the credit for the production of electricity to include municipal biosolids and recycled sludge.

Pages S3388, S3396–97

Reid (for Sessions) Modified Amendment No. 3335 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to extend the credit for the production of fuel from non-conventional sources with respect to certain existing facilities.

Pages S3354, S3360, S3397

Reid (for Thomas) Amendment No. 3364 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to exempt receipts of tax-exempt rural electric cooperatives for the construction of line extensions to encourage development of section 29 qualified fuel sources.

Page S3390

Bingaman (for Torricelli) Amendment No. 3360 (to Amendment No. 2917), to provide incentives for

water conservation through the installation of water submeters. **Page S3397**

Reid (for Conrad/Smith (NH)) Modified Amendment No. 3355 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to extend the energy credit to stationary microturbine power plants. **Pages S3354, S3359–60, S3395**

Bingaman Amendment No. 3380 (to Amendment No. 2917), to authorize rural and remote community electrification grants. **Page S3397**

Bingaman (for Johnson) Modified Amendment No. 3196 (to Amendment No. 2917), to provide for the investment in, the enhancement of, and the efficiency of electric power transmission systems. **Page S3397**

Bingaman (for Wellstone) Modified Amendment No. 3209 (to Amendment No. 2917), to carry out pilot programs that aid accurate carbon storage and sequestration accounting. **Pages S3397–98**

Bingaman (for Wyden) Amendment No. 3230 (to Amendment No. 2917), to provide additional borrowing authority for the construction, acquisition, and replacement of the transmission system of the Bonneville Power Administration and to carry out other duties of the Administrator of the Bonneville Power Administration. **Pages S3398–99**

Reid (for Levin) Amendment No. 3366 (to Amendment No. 2917), to modify the incentives for alternative fuel motor vehicles and refueling properties. **Page S3399**

Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute. **Pages S3342–S3418**

Rejected:

Reid (for Boxer) Amendment No. 3139 (to Amendment No. 2917), to provide for equal liability treatment of vehicle fuels and fuel additives. (By 57 yeas to 42 nays (Vote No. 87), Senate tabled the amendment.) **Page S3364**

Feinstein Amendment No. 3225 (to Amendment No. 2917), to modify the provision relating to the renewable content of motor vehicle fuel to eliminate the required volume of renewable fuel for calendar year 2004. (By 60 yeas to 39 nays (Vote No. 88), Senate tabled the amendment.) **Pages S3351–54, S3364**

Reid (for Kyl) Amendment No. 3332 (to Amendment No. 2917), to strike the extension of the credit for producing electricity from wind. **Pages S3354, S3386–88**

Carper Amendment No. 3198 (to Amendment No. 2917), to decrease the United States dependence on imported oil by the year 2015. (By 57 yeas to 42 nays (Vote No. 90), Senate tabled the amendment.) **Pages S3371–81, S3390–91**

Reid (for Kyl) Amendment No. 3333 (to Amendment No. 2917), to strike the provisions relating to

alternative vehicles and fuels incentives. (By 91 yeas to 8 nays (Vote No. 91), Senate tabled the amendment.) **Pages S3354, S3382–86, S3391–92**

Reid (for Graham) Amendment No. 3370 (to Amendment No. 2917), to strike section 2308 of Division H (relating to energy tax incentives). (By 73 yeas to 26 nays (Vote No. 92), Senate tabled the amendment.) **Pages S3354, S3388–90, S3392–93**

Reid (for Graham) Amendment No. 3372 (to Amendment No. 2917), to limit the effective dates of the provisions of Division H (relating to energy tax incentives). (By 70 yeas to 29 nays (Vote No. 93), Senate tabled the amendment.) **Pages S3354, S3388, S3393**

Withdrawn:

Murkowski/Breaux/Stevens Amendment No. 3132 (to Amendment No. 2917), to create jobs for Americans, to reduce dependence on foreign sources of crude oil and energy, to strengthen the economic self determination of the Inupiat Eskimos and to promote national security. **Page S3351**

Reid (for Hagel) Further Modified Amendment No. 3146 (to Amendment No. 2917), to establish a national registry for accurate and reliable reports of greenhouse gas emissions, and to further encourage voluntary reductions in such emissions. **Pages S3354, S3157–59, S3395**

During consideration of this measure, Senate also took the following actions:

Reid (for Boxer) Amendment No. 3311 (to Amendment No. 3139), to provide for equal liability treatment of vehicle fuels and fuel additives, fell when Amendment No. 3139 (listed above), was tabled. **Pages S3342–51**

Senate vitiated the March 21, 2002 adoption of Bingaman Amendment No. 3059 (to Amendment No. 2917), to authorize rural and remote community electrification grants. **Page S3397**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint conferees on the part of the Senate. **Page S3418**

Subsequently, S. 517 was returned to the Senate Calendar. **Page S3417**

Dia de los Ninos: Celebrating Young Americans: Senate agreed to S. Res. 249, designating April 30, 2002, as "Dia de los Ninos: Celebrating Young Americans". **Pages S3455–56**

National Charter Schools Week: Senate agreed to S. Res. 254, designating April 29, 2002, through May 3, 2002, as "National Charter Schools Week". **Pages S3449–50, S3456–57**

Andean Trade Preference Expansion Act: Senate began consideration of the motion to proceed to consideration of H.R. 3009, to extend the Andean

Trade Preference Act, to grant additional trade benefits under that Act. **Page S3457**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur at 6 p.m., on Monday, April 29, 2002.

Page S3457

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 10 a.m., on Friday, April 26, 2002.

Page S3457

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. Ex. 85), Percy Anderson, of California, to be United States District Judge for the Central District of California.

Pages S3338, S3457

By unanimous vote of 99 yeas (Vote No. Ex. 86), John F. Walter, of California, to be United States District Judge for the Central District of California.

Pages S3338, S3457

By unanimous vote of 99 yeas (Vote No. Ex. 95), Joan E. Lancaster, of Minnesota, to be United States District Judge for the District of Minnesota.

Pages S3418–19, S3457

By unanimous vote of 97 yeas (Vote No. Ex. 96), William C. Griesbach, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Pages S3419–20, S3457

Nominations Received: Senate received the following nominations:

Richard M. Russell, of Virginia, to be an Associate Director of the Office of Science and Technology Policy.

James Franklin Jeffrey, of Virginia, to be Ambassador to the Republic of Albania.

Mark Sullivan, of Maryland, to be United States Director of the European Bank for Reconstruction and Development.

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Messages From the House:

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Measures Referred:

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Executive Communications:

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Petitions and Memorials:

Pages S3432–33

Executive Reports of Committees:

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Statements on Introduced Bills/Resolutions:

Pages S3436–49

Additional Statements:

Pages S3427–32

Amendments Submitted:

Pages S3450–52

Authority for Committees to Meet:

Pages S3452–53

Privilege of the Floor:

Pages S3453–54

Record Votes: Twelve record votes were taken today. (Total — 96)

Pages S3338, S3364, S3390, S3391–94, S3417, S3419, S3420

Adjournment: Senate met at 9:30 a.m., and adjourned at 7:37 p.m., until 10 a.m., on Friday, April 26, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3457).

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS — FOREST SERVICE

Committee on Appropriations: Subcommittee on Interior concluded hearings on proposed budget estimates for fiscal year 2003 for the Forest Service, after receiving testimony from Dale N. Bosworth, Chief, Forest Service, Department of Agriculture.

COOPERATIVE THREAT REDUCTION PROGRAM BRIEFING

Committee on Armed Services: Committee met in closed session to receive a briefing on the Administration's request for a waiver in the certifications required for the Cooperative Threat Reduction Program and on a recent report from the Joint Atomic Energy Intelligence Committee from representatives of the Department of Defense, Department of Energy, Department of State, and the Central Intelligence Agency.

TRANSPORTATION EQUITY ACT

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded hearings on proposed legislation authorizing funds for the Transportation Equity Act for the 21st Century (TEA–21), after receiving testimony from Jennifer L. Dorn, Administrator, Federal Transit Administration, Department of Transportation; Faye L. Moore, Southeastern Pennsylvania Transportation Authority, Philadelphia; Beverly A. Scott, Rhode Island Public Transit Authority, Providence; and Larry Worth, Northeast Colorado Association of Local Governments, Ft. Morgan.

ONLINE PERSONAL PRIVACY ACT

Committee on Commerce, Science, and Transportation: Committee concluded hearings on S. 2201, to protect the online privacy of individuals who use the Internet, after receiving testimony from Barbara Lawler, Hewlett Packard Company, Marc Rotenberg, Electronic Privacy Information Center, Paul Misener, Amazon.com, Frank Torres, Consumers Union, and John C. Dugan, Covington and Burling, on behalf of the Financial Services Coordinating Council, all of Washington, D.C.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nomination of Harold D. Stratton, of New Mexico, to be Commissioner and Chairman of the Consumer Product Safety Commission, after the nominee, who was introduced by Senator Domenici, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Environment and Public Works: Committee order favorably reported the following bills:

S. 975, to improve environmental policy by providing assistance for State and tribal land use planning, to promote improved quality of life, regionalism, and sustainable economic development, with an amendment in the nature of a substitute;

S. 1079, to amend the Public Works and Economic Development Act of 1965 to provide assistance to communities for the redevelopment of brownfield sites, with an amendment in the nature of a substitute;

S. 1646, to identify certain routes in the States of Texas, Oklahoma, Colorado, and New Mexico as part of the Ports-to-Plains Corridor, a high priority corridor on the National Highway System;

S. 2024, to amend title 23, United States Code, to authorize use of electric personal assistive mobility device on trails and pedestrian walkways constructed or maintained with Federal-aid highway funds;

S. 2064, to reauthorize the United States Institute for Environmental Conflict Resolution;

H.R. 3480, to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin;

S. 1721, to designate the building located at 1 Federal Plaza in New York, New York, as the "James L. Watson United States Court of International Trade Building", with an amendment;

H.R. 495, to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the "Ron de Lugo Federal Building";

H.R. 819, to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the "Donald J. Pease Federal Building";

H.R. 3093, to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the "William L. Beatty Federal Building and United States Courthouse"; and

H.R. 3282, to designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the "Mike Mansfield Federal Building and United States Courthouse".

WELFARE REFORM

Committee on Finance: Subcommittee on Social Security and Family Policy concluded hearings on proposed legislation authorizing funds for the Temporary Assistance for Needy Families (TANF) Program, created by the Welfare Reform Law of 1996, focusing on helping hard-to-employ families successfully transition from welfare to work, after receiving testimony from Natasha K. Metcalf, Tennessee Department of Human Services, Nashville; Stephanie Smith, Goodwill Industries of Southern Arizona, Tucson; David Butler, Manpower Demonstration Research Corporation, New York, New York; and Michelle Laureano, Patterson, New Jersey.

**INDIVIDUALS WITH DISABILITIES
EDUCATION**

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine the implementation of the Individuals With Disabilities Education Act (IDEA), focusing on behavioral support in schools to ensure safe schools for students and teachers while protecting the rights of students with disabilities, after receiving testimony from Ronnie M. Jackson, Dale County School District, Ozark, Alabama; Kathleen B. Boundy, Center for Law and Education, Boston, Massachusetts; George Sugai, University of Oregon Center on Positive Behavioral Interventions and Supports, Eugene; Marsha Weissman, Center for Community Alternatives, Syracuse, New York; and Sarah A. Flanagan, Falls Church, Virginia.

WOMEN'S HEALTH

Committee on Health, Education, Labor, and Pensions: Subcommittee on Public Health concluded hearings to examine women's health issues, including the role of the Department of Health and Human Services in improving the health of women and making prevention a centerpiece, after receiving testimony from Eve E. Slater, Assistant Secretary for Health, and James S. Marks, Director, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention, both of the Department of Health and Human Services; Carolyn M. Mazure, Yale University School of Medicine, New Haven, Connecticut, on behalf of the Women's Health Research Coalition; Marlene B. Jezierski, Allina Hospitals and Clinics, Minneapolis, Minnesota; Thomas Gellhaus, Obstetrics and Gynecology Specialists, Davenport, Iowa, on behalf of the American College of Obstetricians and Gynecologists; and Alice Ammerman, University of North Carolina Schools of Public Health and Medicine, Chapel Hill, on behalf of the WISEWOMAN Program.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 2010, to provide for criminal prosecution of persons who alter or destroy evidence in certain Federal investigations or defraud investors of publicly traded securities, to disallow debts incurred in violation of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers, with an amendment in the nature of a substitute;

S. 1974, to make needed reforms in the Federal Bureau of Investigation, with an amendment in the nature of a substitute;

S. 410, to amend the Violence Against Women Act of 2000 by expanding the legal assistance for victims of violence grant program to include legal assistance for victims of dating violence;

S. Res. 245, designating the week of May 5 through May 11, 2002, as "National Occupational Safety and Health Week";

S. Res. 109, designating the second Sunday in the month of December as "National Children's Memorial Day" and the last Friday in the month of April as "Children's Memorial Flag Day", with an amendment;

S. Res. 249, designating April 30, 2002, as "Dia de los Ninos: Celebrating Young Americans";

S. Con. Res. 102, proclaiming the week of May 4 through May 11, 2002, as "National Safe Kids Week"; and

The nominations of Gorden Edward Eden, Jr., to be United States Marshal for the District of New Mexico, David Phillip Gonzales, to be United States Marshal for the District of Arizona, Ronald Henderson, to be United States Marshal for the Eastern District of Missouri, John Lee Moore, to be United States Marshal for the Eastern District of Texas, John Edward Quinn, to be United States Marshal for the Northern District of Iowa, Charles M. Sheer, to be United States Marshal for the Western District of Missouri, and Edward Zahren, to be United States Marshal for the District of Colorado, all of the Department of Justice.

Also, committee approved a committee resolution to authorize the issuance of a subpoena with respect to the forthcoming hearings of the Subcommittee on Antitrust, Competition, and Business and Consumer Rights on the subject of hospital group purchasing.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Leonard E. Davis, to be United States District Judge for the Eastern District of Texas, David C. Godbey, to be United States District Judge for the Northern District of Texas, Andrew S. Hanen, to be United States District Judge for the Southern District of Texas, Samuel H. Mays, Jr., to be United States District Judge for the Western District of Tennessee, Thomas M. Rose, to be United States District Judge for the Southern District of Ohio, after the nominees testified and answered questions in their own behalf. Ms. Gibbons and Mr. Mays were introduced by Senators Frist and Thompson, Mr. Davis was introduced by Senators Hutchison, and Gramm, and Representatives Ford Jr., Sandlin, and Hall, Mr. Godbey and Mr. Hanen were introduced by Senators Hutchison and Gramm, and Representatives Ford, Jr., and Sandlin, and Mr. Rose was introduced by Senator DeWine, and Representative Hobson.

VA NURSING HOME CARE OPTIONS

Committee on Veterans' Affairs: Committee concluded hearings to examine the Veterans' Association's expansion of noninstitutional long-term care services in response to the Veterans Millennium Health Care and Benefits Act, as well as the types of noninstitutional long-term services being offered, after receiving testimony from Cynthia A. Bascetta, Director, Health Care-Veterans' Health and Benefits Issues, General Accounting Office; Robert H. Roswell, Under Secretary of Veterans Affairs for Health; Gladys M. Dickerson, VA North Texas Health Care Systems, Dallas; Jennifer Moye, Harvard Medical School Department of Psychiatry, Boston, on behalf of the VA Medical Center Geriatric Mental Health Clinic/Unified Psychogeriatric Biopsychosocial Evaluation and Treatment (UPBEAT) program; Paula Hemmings, New York Veterans Integrated Services Network, Albany, on behalf of the Alzheimer's Association; and Thomas G. McClure, Central Arkansas Veterans Healthcare System, Little Rock.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported the nomination of John Leonard Helgeson, of Virginia, to be Inspector General, Central Intelligence Agency.

House of Representatives

Chamber Action

Measures Introduced: 27 public bills, H.R. 4589–4615; 1 private bill, H.R. 4616; and 8 resolutions, H.J. Res. 90, H. Con. Res. 386–388, and H. Res. 397–400 were introduced. **Pages H1672–74**

Reports Filed: Reports were filed as follows:

H.R. 3994, to authorize economic and democratic development assistance for Afghanistan and to authorize military assistance for Afghanistan and certain other foreign countries, amended (H. Rept. 107–420). **Page H1672**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as Speaker pro tempore for today. **Page H1621**

Guest Chaplain: The prayer was offered by the guest Chaplain, Dr. Paul Dixon, President, Cedarville University of Cedarville, Ohio. **Page H1621**

Journal: Agreed to the Speaker's approval of the Journal of Wednesday, April 24, by a recorded vote of 372 ayes to 47 noes with 1 voting "present", Roll No. 113. **Page H1632**

Barbara Jordan Immigration Reform and Accountability Act: The House passed H.R. 3231, to replace the Immigration and Naturalization Service with the Agency for Immigration Affairs by a recorded vote of 405 ayes to 9 noes, Roll No. 116. **Pages H1632–66**

The title was amended so as to read: "A bill to replace the Immigration and Naturalization Service with the Office of the Associate Attorney General for Immigration Affairs, the Bureau of Citizenship and Immigration Service, and the Bureau of Immigration Enforcement, and for other purposes." **Page H1666**

Agreed to the Committee on the Judiciary amendment in the nature of a substitute now printed in the bill, H. Rept. 107–413, and made in order by the rule. **Page H1666**

Agreed To:

Sensenbrenner amendment No. 1 printed in H. Rept. 107–419 that authorizes additional personnel flexibility including a managerial rotation program, employee voluntary separation incentive payments or buy-outs, and a demonstration project relating to employee disciplinary actions; **Pages H1650–51**

Baldwin amendment No. 2 printed in H. Rept. 107–419 that requires a study by the Office of Children's Affairs on independent legal counsel for unaccompanied alien children; **Pages H1651–53**

Jackson-Lee amendment No. 3 printed in H. Rept. 107–419 that requires a GAO report on the fee structure of the Bureau of Citizenship and Immigration Services and its sufficiency to carry out its functions in the absence of appropriated funds; **Pages H1653–54**

Roybal-Allard amendment No. 4 printed in H. Rept. 107–419 that requires the Office of Immigration Statistics to maintain region-by-region statistics on denials of applications and petitions and the reasons for such denials; and **Pages H1654–55**

Velazquez amendment No. 5 printed in H. Rept. 107–419 that authorizes the Director of the Bureau of Citizenship and Immigration Services to conduct innovative pilot initiatives to eliminate any remaining backlog in the processing of immigration benefit applications and to prevent any backlog from recurring. **Pages H1655–56**

Rejected:

Issa amendment No. 6 printed in H. Rept. 107–419 that sought to place the civil service positions in the Office of the Associate Attorney General for Immigration Affairs, Bureau of Citizenship and Immigration Services, and the Bureau of Immigration Enforcement in the excepted service as defined by section 2103 of title 5, United States Code and eliminate restrictions on certain disciplinary and other adverse actions taken against employees (rejected by a recorded vote of 145 ayes to 272 noes, Roll No. 114); and **Pages H1656–65**

Lofgren amendment No. 7 printed in H. Rept. 107–419 that sought to authorize expedited procedures for procurement of information technology (rejected by a recorded vote of 105 ayes to 312 noes, Roll No. 115). **Pages H1661–66**

H. Res. 396, the rule that provided for consideration of the bill was agreed to by a recorded vote of 388 ayes to 34 noes, Roll No. 112. Agreed to order the previous question by a yea-and-nay vote of 384 yeas to 36 nays, Roll No. 111. **Pages H1625–32**

Legislative Program: Representative Portman announced the Legislative Program for the week of April 29. **Page H1667**

Consideration of Suspension on May 1: Agreed that it be in order at any time on Wednesday, May 1 for the Speaker to entertain a motion that the House suspend the rules relating to H.R. 2604, replenishment of Asian Development Fund and International Fund for Agricultural Development resources and additional policies towards the African Development Bank, the African Development Fund, the Asian Development Bank, the Inter-American

Development Bank, and the European Bank for Reconstruction and Development. **Page H1667**

Meeting Hour — Monday, April 29: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, April 29. **Page H1667**

Meeting Hour — Tuesday, April 30: Agreed that when the House adjourns on Monday, April 29, it adjourn to meet at 12:30 p.m. on Tuesday, April 30 for morning hour debate. **Page H1667**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 1. **Page H1667**

Senate Messages: Messages received from the Senate today appear on page H1621.

Referral: S. 2248 was held at the desk. **Page H1621**

Quorum Calls — Votes: One yea-and-nay vote and five recorded votes developed during the proceedings of the House today and appear on pages H1630–31, H1631–32, H1632, H1664–65, H1665–66, and H1666. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:50 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on National Foreign Intelligence Program. Testimony was heard from Jane Dempsey, Deputy Director, CIA; and George Tenet, former Director, CIA.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on District of Columbia held a hearing on D.C. Public Schools and D.C. Charter Schools. Testimony was heard from the following officials of the District of Columbia: Peggy Cooper Cafritz, President, Board of Education; Paul Vance, Superintendent, Public Schools; Josephine Baker, Chair, Public Charter School Board; and Laurent Ross, Director, Tuition Assistance Grant Program; Col. Charles J. Fiala, Jr., USA, Commander and District Engineer, Baltimore District, U.S. Army Corps of Engineers; David E. Cooper, Director, Acquisition and Sourcing Management Team, GAO; and public witnesses.

LABOR, HHS AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on Department of Education Panel: Transition into the Workforce. Testimony was heard from the following officials of the Department of Edu-

cation: Susan B. Neuman, Assistant Secretary, Elementary and Secondary Education; Robert H. Pasternack, Assistant Secretary, Special Education and Rehabilitative Services; Carol D'Amico, Assistant Secretary, Vocational and Adult Education; Sally Stroup, Assistant Secretary, Postsecondary Education; Grover J. Whitehurst, Assistant Secretary, Educational Research and Improvement; and Thomas P. Skelly, Director, Budget Service.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative held a hearing on Architect of the Capitol, and on CBO. Testimony was heard from Alan M. Hantman, Architect of the Capitol; and Dan L. Crippen, Director, CBO.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Military Installations and Facilities approved for full Committee action H.R. 4546, National Defense Authorization Act for Fiscal Year 2003.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Military Personnel approved for full Committee action H.R. 4546, National Defense Authorization Act for Fiscal Year 2003.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Military Readiness approved for full Committee action, as amended, H.R. 4546, National Defense Authorization Act for Fiscal Year 2003.

RESTORING BUDGET DISCIPLINE

Committee on the Budget: Held a hearing on the Predictability and Control Twin Reasons for Restoring Budget Disciplines. Testimony was heard from Susan J. Irving, Director, Federal Budget Analysis, GAO; Barry B. Anderson, Deputy Director, CBO; former Representative William Frenzel of Minnesota; and public witnesses.

CITIZEN SERVICE IN THE 21ST CENTURY

Committee on Education and the Workforce: Subcommittee on Select Education held a hearing on Citizen Service in the 21st Century. Testimony was heard from Representatives Shays, Ford and Osborne; and public witnesses.

REDUCE ERGONOMIC INJURIES — OSHA's PLAN

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing

on A Review of OSHA's Plan to Reduce Ergonomic Injuries. Testimony was heard from John Henshaw, Assistant Secretary, Occupational Safety and Health, Department of Labor.

YUCCA MOUNTAIN REPOSITORY — RADIOACTIVE WASTE

Committee on Energy and Commerce: Ordered reported H.J. Res. 87, approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Policy Act of 1982.

DIGITAL AGE — ENSURING CONTENT PROTECTION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Ensuring Content Protection in the Digital Age." Testimony was heard from public witnesses.

FINANCIAL SERVICES REGULATORY RELIEF ACT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit continued hearings on H.R. 3951, Financial Services Regulatory Relief Act of 2002. Testimony was heard from public witnesses.

FEDERAL WORK FORCE SECURITY

Committee on Government Reform: Subcommittee on Technology and Procurement Policy held a hearing on Ensuring the Safety of our Federal Workforce: GSA's Use of Technology to Secure Federal Buildings. Testimony was heard from Keith A. Rhodes, Chief Technologist, GAO; the following officials of the GSA: F. Joseph Moravec, Commissioner, Public Buildings Service; and Wendell Shingler, Director, Federal Protective Service; John N. Jester, Chief, Defense Protective Service, Department of Defense; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported, as amended, the following bills: H.R. 4073, to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those Acts; and H.R. 3969, Freedom Promotion Act of 2002.

OVERSIGHT — COMMUNITY-BASED LAND MANAGEMENT AND CHARTER FORESTS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Community-Based Land Management and Charter Forests. Testimony was heard from public witnesses.

OVERSIGHT — NATIONAL PARK SERVICE MANAGEMENT POLICIES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held an oversight hearing on the 2001 National Park Service Management Policies. Testimony was heard from Fran Mainella, Director, National Park Service, Department of the Interior.

YUCCA MOUNTAIN STORAGE FACILITY — TRANSPORTATION OF SPENT RODS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit and the Subcommittee on Railroads held a joint hearing on Transportation of Spent Rods to the Proposed Yucca Mountain Storage Facility. Testimony was heard from Senator Ensign; Representatives Gibbons and Kucinich; the following officials of the Department of Transportation: Ellen G. Engleman, Administrator, Research and Special Programs Administration; and Allan Rutter, Administrator, Federal Railroad Administration; Lake Barrett, Deputy Director, Office of Civilian Radioactive Waste Management, Department of Energy; Carl J. Paperiello, Deputy Executive Director, Operations, NRC; the following officials of the State of Nevada: Kenny Guinn, Governor; Jon C. Porter, member, Senate; and Dario Herrera, Chairman, Clark County Commission; and public witnesses.

SOCIAL SECURITY PROGRAM PROTECTION ACT

Committee on Ways and Means: Subcommittee on Social Security approved for full Committee action, as amended, H.R. 4070, Social Security Program Protection Act of 2002.

LATIN AMERICA ISSUES

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security and the Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a joint hearing on Latin America Issues. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 26, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings on the nomination of Adm. Thomas B. Fargo, USN, to be Admiral and Commander in Chief, United States Pacific Command; and the nomination of Lt. Gen. Leon J. LaPorte, USA, to be General and Commander in Chief,

United Nations Command/Combined Forces Command/Commander, United States Forces Korea, 9:30 a.m., SR-222.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families, to hold hearings to

examine families and funeral practices issues, 10 a.m., SD-430.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

10 a.m., Friday, April 26

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, April 29

Senate Chamber

Program for Friday: Senate will continue consideration of the motion to proceed to consideration of H.R. 3009, Andean Trade Preference Expansion Act.

House Chamber

Program for Monday: Pro forma session.



Congressional Record

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1 or more States to waive the renewable fuel content requirement. **Page S3360**

Bingaman (for Baucus) Amendment No. 3082 (to Amendment No. 2917), to provide that certain gasoline and diesel fuel be treated as entered into the customs territory of the United States.

Pages S3354, S3359–60

Bingaman (for Breaux) Amendment No. 3130 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to allow a credit against income tax for taxpayers owning certain commercial power takeoff vehicles.

Pages S3360–61

Bingaman (for Harkin) Amendment No. 3331 (to Amendment No. 2917), to further encourage development of hydrogen refueling infrastructure.

Page S3361

Bingaman (for Gramm) Amendment No. 3336 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to provide for nonrecognition of gain on dispositions of dairy property which is certified by the Secretary of Agriculture as having been the subject of an agreement under the bovine tuberculosis eradication program.

Page S3365

Reid Amendment No. 3338 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to modify energy credit for combined heat and power system property.

Page S3361

Bingaman (for Baucus) Amendment No. 3349 (to Amendment No. 2917), to modify the credit for the production of fuel from nonconventional sources regarding refined coal.

Page S3361

Bingaman (for Baucus) Amendment No. 3350 (to Amendment No. 2917), to modify the credit for the production of electricity to include small irrigation power.

Page S3362

Bingaman (for Baucus) Amendment No. 3351 (to Amendment No. 2917), to modify the credit for residential energy efficient property by substituting natural gas furnaces for natural gas heat pumps.

Page S3362

Bingaman (for Baucus/Grassley) Amendment No. 3352 (to Amendment No. 2917), to modify the incentives for biodiesel.

Page S3362

Bingaman (for Baucus) Amendment No. 3353 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to provide for the treatment of sales or dispositions to implement Federal Energy Regulatory Commission or State electric restructuring policy.

Pages S3363–64

Bingaman (for Hollings) Amendment No. 3356 (to Amendment No. 2917), to apply temporary regulations to certain output contracts.

Page S3364

Reid (for Bingaman) Amendment No. 3359 (to Amendment No. 2917), to modify the credit for new energy efficient homes by treating a manufac-

tured home which meets the energy star standard as a 30 percent home.

Page S3364

Durbin Amendment No. 3342 (to Amendment No. 2917), to strike the nonbusiness use limitation with respect to the credit for the installation of certain small wind energy systems.

Page S3365

Murray/Cantwell Amendment No. 3326, to modify the specifications for a fuel cell power plant eligible for the extension of the energy tax credit.

Pages S3381–82

By 52 yeas to 47 nays (Vote No. 89), Harkin Amendment No. 3195 (to Amendment No. 2917), to direct the Secretary of Energy to revise the seasonal energy efficiency ratio standard for central air conditioners and central air conditioning heat pumps within 60 days.

Pages S3342, S3365–71, S3390

Reid (for Brownback) Modified Amendment No. 3239 (to Amendment No. 2917), to establish a greenhouse gas inventory, reductions registry, and information system.

Pages S3354–57, S3394

Bingaman (for Lincoln) Amendment No. 3343 (to Amendment No. 2917), to modify the credit for the production of fuel from nonconventional sources to include production of fuel from agricultural and animal waste.

Page S3396

Bingaman (for Lincoln) Amendment No. 3344 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to clarify excise tax exemptions for agricultural aerial applicators.

Page S3396

Murkowski Amendment No. 3362 (to Amendment No. 2917), to amend the Internal Revenue Code to modify the definition of Rural Airport.

Page S3396

Murkowski Amendment No. 3363 (to Amendment No. 2917), to amend the Internal Revenue Code to exempt small seaplanes from ticket taxes.

Page S3396

Reid (for Kohl) Modified Amendment No. 3346 (to Amendment No. 2917), to modify the credit for the production of electricity to include municipal biosolids and recycled sludge.

Pages S3388, S3396–97

Reid (for Sessions) Modified Amendment No. 3335 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to extend the credit for the production of fuel from non-conventional sources with respect to certain existing facilities.

Pages S3354, S3360, S3397

Reid (for Thomas) Amendment No. 3364 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to exempt receipts of tax-exempt rural electric cooperatives for the construction of line extensions to encourage development of section 29 qualified fuel sources.

Page S3390

Bingaman (for Torricelli) Amendment No. 3360 (to Amendment No. 2917), to provide incentives for

water conservation through the installation of water submeters. **Page S3397**

Reid (for Conrad/Smith (NH)) Modified Amendment No. 3355 (to Amendment No. 2917), to amend the Internal Revenue Code of 1986 to extend the energy credit to stationary microturbine power plants. **Pages S3354, S3359–60, S3395**

Bingaman Amendment No. 3380 (to Amendment No. 2917), to authorize rural and remote community electrification grants. **Page S3397**

Bingaman (for Johnson) Modified Amendment No. 3196 (to Amendment No. 2917), to provide for the investment in, the enhancement of, and the efficiency of electric power transmission systems. **Page S3397**

Bingaman (for Wellstone) Modified Amendment No. 3209 (to Amendment No. 2917), to carry out pilot programs that aid accurate carbon storage and sequestration accounting. **Pages S3397–98**

Bingaman (for Wyden) Amendment No. 3230 (to Amendment No. 2917), to provide additional borrowing authority for the construction, acquisition, and replacement of the transmission system of the Bonneville Power Administration and to carry out other duties of the Administrator of the Bonneville Power Administration. **Pages S3398–99**

Reid (for Levin) Amendment No. 3366 (to Amendment No. 2917), to modify the incentives for alternative fuel motor vehicles and refueling properties. **Page S3399**

Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute. **Pages S3342–S3418**

Rejected:

Reid (for Boxer) Amendment No. 3139 (to Amendment No. 2917), to provide for equal liability treatment of vehicle fuels and fuel additives. (By 57 yeas to 42 nays (Vote No. 87), Senate tabled the amendment.) **Page S3364**

Feinstein Amendment No. 3225 (to Amendment No. 2917), to modify the provision relating to the renewable content of motor vehicle fuel to eliminate the required volume of renewable fuel for calendar year 2004. (By 60 yeas to 39 nays (Vote No. 88), Senate tabled the amendment.) **Pages S3351–54, S3364**

Reid (for Kyl) Amendment No. 3332 (to Amendment No. 2917), to strike the extension of the credit for producing electricity from wind. **Pages S3354, S3386–88**

Carper Amendment No. 3198 (to Amendment No. 2917), to decrease the United States dependence on imported oil by the year 2015. (By 57 yeas to 42 nays (Vote No. 90), Senate tabled the amendment.) **Pages S3371–81, S3390–91**

Reid (for Kyl) Amendment No. 3333 (to Amendment No. 2917), to strike the provisions relating to

alternative vehicles and fuels incentives. (By 91 yeas to 8 nays (Vote No. 91), Senate tabled the amendment.) **Pages S3354, S3382–86, S3391–92**

Reid (for Graham) Amendment No. 3370 (to Amendment No. 2917), to strike section 2308 of Division H (relating to energy tax incentives). (By 73 yeas to 26 nays (Vote No. 92), Senate tabled the amendment.) **Pages S3354, S3388–90, S3392–93**

Reid (for Graham) Amendment No. 3372 (to Amendment No. 2917), to limit the effective dates of the provisions of Division H (relating to energy tax incentives). (By 70 yeas to 29 nays (Vote No. 93), Senate tabled the amendment.) **Pages S3354, S3388, S3393**

Withdrawn:

Murkowski/Breaux/Stevens Amendment No. 3132 (to Amendment No. 2917), to create jobs for Americans, to reduce dependence on foreign sources of crude oil and energy, to strengthen the economic self determination of the Inupiat Eskimos and to promote national security. **Page S3351**

Reid (for Hagel) Further Modified Amendment No. 3146 (to Amendment No. 2917), to establish a national registry for accurate and reliable reports of greenhouse gas emissions, and to further encourage voluntary reductions in such emissions. **Pages S3354, S3157–59, S3395**

During consideration of this measure, Senate also took the following actions:

Reid (for Boxer) Amendment No. 3311 (to Amendment No. 3139), to provide for equal liability treatment of vehicle fuels and fuel additives, fell when Amendment No. 3139 (listed above), was tabled. **Pages S3342–51**

Senate vitiated the March 21, 2002 adoption of Bingaman Amendment No. 3059 (to Amendment No. 2917), to authorize rural and remote community electrification grants. **Page S3397**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint conferees on the part of the Senate. **Page S3418**

Subsequently, S. 517 was returned to the Senate Calendar. **Page S3417**

Dia de los Ninos: Celebrating Young Americans: Senate agreed to S. Res. 249, designating April 30, 2002, as “Dia de los Ninos: Celebrating Young Americans”. **Pages S3455–56**

National Charter Schools Week: Senate agreed to S. Res. 254, designating April 29, 2002, through May 3, 2002, as “National Charter Schools Week”. **Pages S3449–50, S3456–57**

Andean Trade Preference Expansion Act: Senate began consideration of the motion to proceed to consideration of H.R. 3009, to extend the Andean

Trade Preference Act, to grant additional trade benefits under that Act. **Page S3457**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur at 6 p.m., on Monday, April 29, 2002.

Page S3457

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 10 a.m., on Friday, April 26, 2002.

Page S3457

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. Ex. 85), Percy Anderson, of California, to be United States District Judge for the Central District of California.

Pages S3338, S3457

By unanimous vote of 99 yeas (Vote No. Ex. 86), John F. Walter, of California, to be United States District Judge for the Central District of California.

Pages S3338, S3457

By unanimous vote of 99 yeas (Vote No. Ex. 95), Joan E. Lancaster, of Minnesota, to be United States District Judge for the District of Minnesota.

Pages S3418–19, S3457

By unanimous vote of 97 yeas (Vote No. Ex. 96), William C. Griesbach, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Pages S3419–20, S3457

Nominations Received: Senate received the following nominations:

Richard M. Russell, of Virginia, to be an Associate Director of the Office of Science and Technology Policy.

James Franklin Jeffrey, of Virginia, to be Ambassador to the Republic of Albania.

Mark Sullivan, of Maryland, to be United States Director of the European Bank for Reconstruction and Development.

Page S3457

Messages From the House:

Page S3432

Measures Referred:

Page S3432

Executive Communications:

Page S3432

Petitions and Memorials:

Pages S3432–33

Executive Reports of Committees:

Page S3433

Additional Cosponsors:

Pages S3435–36

Statements on Introduced Bills/Resolutions:

Pages S3436–49

Additional Statements:

Pages S3427–32

Amendments Submitted:

Pages S3450–52

Authority for Committees to Meet:

Pages S3452–53

Privilege of the Floor:

Pages S3453–54

Record Votes: Twelve record votes were taken today. (Total — 96)

Pages S3338, S3364, S3390, S3391–94, S3417, S3419, S3420

Adjournment: Senate met at 9:30 a.m., and adjourned at 7:37 p.m., until 10 a.m., on Friday, April 26, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3457).

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS — FOREST SERVICE

Committee on Appropriations: Subcommittee on Interior concluded hearings on proposed budget estimates for fiscal year 2003 for the Forest Service, after receiving testimony from Dale N. Bosworth, Chief, Forest Service, Department of Agriculture.

COOPERATIVE THREAT REDUCTION PROGRAM BRIEFING

Committee on Armed Services: Committee met in closed session to receive a briefing on the Administration's request for a waiver in the certifications required for the Cooperative Threat Reduction Program and on a recent report from the Joint Atomic Energy Intelligence Committee from representatives of the Department of Defense, Department of Energy, Department of State, and the Central Intelligence Agency.

TRANSPORTATION EQUITY ACT

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded hearings on proposed legislation authorizing funds for the Transportation Equity Act for the 21st Century (TEA–21), after receiving testimony from Jennifer L. Dorn, Administrator, Federal Transit Administration, Department of Transportation; Faye L. Moore, Southeastern Pennsylvania Transportation Authority, Philadelphia; Beverly A. Scott, Rhode Island Public Transit Authority, Providence; and Larry Worth, Northeast Colorado Association of Local Governments, Ft. Morgan.

ONLINE PERSONAL PRIVACY ACT

Committee on Commerce, Science, and Transportation: Committee concluded hearings on S. 2201, to protect the online privacy of individuals who use the Internet, after receiving testimony from Barbara Lawler, Hewlett Packard Company, Marc Rotenberg, Electronic Privacy Information Center, Paul Misener, Amazon.com, Frank Torres, Consumers Union, and John C. Dugan, Covington and Burling, on behalf of the Financial Services Coordinating Council, all of Washington, D.C.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nomination of Harold D. Stratton, of New Mexico, to be Commissioner and Chairman of the Consumer Product Safety Commission, after the nominee, who was introduced by Senator Domenici, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Environment and Public Works: Committee order favorably reported the following bills:

S. 975, to improve environmental policy by providing assistance for State and tribal land use planning, to promote improved quality of life, regionalism, and sustainable economic development, with an amendment in the nature of a substitute;

S. 1079, to amend the Public Works and Economic Development Act of 1965 to provide assistance to communities for the redevelopment of brownfield sites, with an amendment in the nature of a substitute;

S. 1646, to identify certain routes in the States of Texas, Oklahoma, Colorado, and New Mexico as part of the Ports-to-Plains Corridor, a high priority corridor on the National Highway System;

S. 2024, to amend title 23, United States Code, to authorize use of electric personal assistive mobility device on trails and pedestrian walkways constructed or maintained with Federal-aid highway funds;

S. 2064, to reauthorize the United States Institute for Environmental Conflict Resolution;

H.R. 3480, to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin;

S. 1721, to designate the building located at 1 Federal Plaza in New York, New York, as the "James L. Watson United States Court of International Trade Building", with an amendment;

H.R. 495, to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the "Ron de Lugo Federal Building";

H.R. 819, to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the "Donald J. Pease Federal Building";

H.R. 3093, to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the "William L. Beatty Federal Building and United States Courthouse"; and

H.R. 3282, to designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the "Mike Mansfield Federal Building and United States Courthouse".

WELFARE REFORM

Committee on Finance: Subcommittee on Social Security and Family Policy concluded hearings on proposed legislation authorizing funds for the Temporary Assistance for Needy Families (TANF) Program, created by the Welfare Reform Law of 1996, focusing on helping hard-to-employ families successfully transition from welfare to work, after receiving testimony from Natasha K. Metcalf, Tennessee Department of Human Services, Nashville; Stephanie Smith, Goodwill Industries of Southern Arizona, Tucson; David Butler, Manpower Demonstration Research Corporation, New York, New York; and Michelle Laureano, Patterson, New Jersey.

**INDIVIDUALS WITH DISABILITIES
EDUCATION**

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine the implementation of the Individuals With Disabilities Education Act (IDEA), focusing on behavioral support in schools to ensure safe schools for students and teachers while protecting the rights of students with disabilities, after receiving testimony from Ronnie M. Jackson, Dale County School District, Ozark, Alabama; Kathleen B. Boundy, Center for Law and Education, Boston, Massachusetts; George Sugai, University of Oregon Center on Positive Behavioral Interventions and Supports, Eugene; Marsha Weissman, Center for Community Alternatives, Syracuse, New York; and Sarah A. Flanagan, Falls Church, Virginia.

WOMEN'S HEALTH

Committee on Health, Education, Labor, and Pensions: Subcommittee on Public Health concluded hearings to examine women's health issues, including the role of the Department of Health and Human Services in improving the health of women and making prevention a centerpiece, after receiving testimony from Eve E. Slater, Assistant Secretary for Health, and James S. Marks, Director, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention, both of the Department of Health and Human Services; Carolyn M. Mazure, Yale University School of Medicine, New Haven, Connecticut, on behalf of the Women's Health Research Coalition; Marlene B. Jezierski, Allina Hospitals and Clinics, Minneapolis, Minnesota; Thomas Gellhaus, Obstetrics and Gynecology Specialists, Davenport, Iowa, on behalf of the American College of Obstetricians and Gynecologists; and Alice Ammerman, University of North Carolina Schools of Public Health and Medicine, Chapel Hill, on behalf of the WISEWOMAN Program.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 2010, to provide for criminal prosecution of persons who alter or destroy evidence in certain Federal investigations or defraud investors of publicly traded securities, to disallow debts incurred in violation of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers, with an amendment in the nature of a substitute;

S. 1974, to make needed reforms in the Federal Bureau of Investigation, with an amendment in the nature of a substitute;

S. 410, to amend the Violence Against Women Act of 2000 by expanding the legal assistance for victims of violence grant program to include legal assistance for victims of dating violence;

S. Res. 245, designating the week of May 5 through May 11, 2002, as "National Occupational Safety and Health Week";

S. Res. 109, designating the second Sunday in the month of December as "National Children's Memorial Day" and the last Friday in the month of April as "Children's Memorial Flag Day", with an amendment;

S. Res. 249, designating April 30, 2002, as "Dia de los Ninos: Celebrating Young Americans";

S. Con. Res. 102, proclaiming the week of May 4 through May 11, 2002, as "National Safe Kids Week"; and

The nominations of Gorden Edward Eden, Jr., to be United States Marshal for the District of New Mexico, David Phillip Gonzales, to be United States Marshal for the District of Arizona, Ronald Henderson, to be United States Marshal for the Eastern District of Missouri, John Lee Moore, to be United States Marshal for the Eastern District of Texas, John Edward Quinn, to be United States Marshal for the Northern District of Iowa, Charles M. Sheer, to be United States Marshal for the Western District of Missouri, and Edward Zahren, to be United States Marshal for the District of Colorado, all of the Department of Justice.

Also, committee approved a committee resolution to authorize the issuance of a subpoena with respect to the forthcoming hearings of the Subcommittee on Antitrust, Competition, and Business and Consumer Rights on the subject of hospital group purchasing.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Leonard E. Davis, to be United States District Judge for the Eastern District of Texas, David C. Godbey, to be United States District Judge for the Northern District of Texas, Andrew S. Hanen, to be United States District Judge for the Southern District of Texas, Samuel H. Mays, Jr., to be United States District Judge for the Western District of Tennessee, Thomas M. Rose, to be United States District Judge for the Southern District of Ohio, after the nominees testified and answered questions in their own behalf. Ms. Gibbons and Mr. Mays were introduced by Senators Frist and Thompson, Mr. Davis was introduced by Senators Hutchison, and Gramm, and Representatives Ford Jr., Sandlin, and Hall, Mr. Godbey and Mr. Hanen were introduced by Senators Hutchison and Gramm, and Representatives Ford, Jr., and Sandlin, and Mr. Rose was introduced by Senator DeWine, and Representative Hobson.

VA NURSING HOME CARE OPTIONS

Committee on Veterans' Affairs: Committee concluded hearings to examine the Veterans' Association's expansion of noninstitutional long-term care services in response to the Veterans Millennium Health Care and Benefits Act, as well as the types of noninstitutional long-term services being offered, after receiving testimony from Cynthia A. Bascetta, Director, Health Care-Veterans' Health and Benefits Issues, General Accounting Office; Robert H. Roswell, Under Secretary of Veterans Affairs for Health; Gladys M. Dickerson, VA North Texas Health Care Systems, Dallas; Jennifer Moye, Harvard Medical School Department of Psychiatry, Boston, on behalf of the VA Medical Center Geriatric Mental Health Clinic/Unified Psychogeriatric Biopsychosocial Evaluation and Treatment (UPBEAT) program; Paula Hemmings, New York Veterans Integrated Services Network, Albany, on behalf of the Alzheimer's Association; and Thomas G. McClure, Central Arkansas Veterans Healthcare System, Little Rock.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported the nomination of John Leonard Helgeson, of Virginia, to be Inspector General, Central Intelligence Agency.

House of Representatives

Chamber Action

Measures Introduced: 27 public bills, H.R. 4589–4615; 1 private bill, H.R. 4616; and 8 resolutions, H.J. Res. 90, H. Con. Res. 386–388, and H. Res. 397–400 were introduced. **Pages H1672–74**

Reports Filed: Reports were filed as follows:

H.R. 3994, to authorize economic and democratic development assistance for Afghanistan and to authorize military assistance for Afghanistan and certain other foreign countries, amended (H. Rept. 107–420). **Page H1672**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as Speaker pro tempore for today. **Page H1621**

Guest Chaplain: The prayer was offered by the guest Chaplain, Dr. Paul Dixon, President, Cedarville University of Cedarville, Ohio. **Page H1621**

Journal: Agreed to the Speaker's approval of the Journal of Wednesday, April 24, by a recorded vote of 372 ayes to 47 noes with 1 voting "present", Roll No. 113. **Page H1632**

Barbara Jordan Immigration Reform and Accountability Act: The House passed H.R. 3231, to replace the Immigration and Naturalization Service with the Agency for Immigration Affairs by a recorded vote of 405 ayes to 9 noes, Roll No. 116. **Pages H1632–66**

The title was amended so as to read: "A bill to replace the Immigration and Naturalization Service with the Office of the Associate Attorney General for Immigration Affairs, the Bureau of Citizenship and Immigration Service, and the Bureau of Immigration Enforcement, and for other purposes." **Page H1666**

Agreed to the Committee on the Judiciary amendment in the nature of a substitute now printed in the bill, H. Rept. 107–413, and made in order by the rule. **Page H1666**

Agreed To:

Sensenbrenner amendment No. 1 printed in H. Rept. 107–419 that authorizes additional personnel flexibility including a managerial rotation program, employee voluntary separation incentive payments or buy-outs, and a demonstration project relating to employee disciplinary actions; **Pages H1650–51**

Baldwin amendment No. 2 printed in H. Rept. 107–419 that requires a study by the Office of Children's Affairs on independent legal counsel for unaccompanied alien children; **Pages H1651–53**

Jackson-Lee amendment No. 3 printed in H. Rept. 107–419 that requires a GAO report on the fee structure of the Bureau of Citizenship and Immigration Services and its sufficiency to carry out its functions in the absence of appropriated funds; **Pages H1653–54**

Roybal-Allard amendment No. 4 printed in H. Rept. 107–419 that requires the Office of Immigration Statistics to maintain region-by-region statistics on denials of applications and petitions and the reasons for such denials; and **Pages H1654–55**

Velazquez amendment No. 5 printed in H. Rept. 107–419 that authorizes the Director of the Bureau of Citizenship and Immigration Services to conduct innovative pilot initiatives to eliminate any remaining backlog in the processing of immigration benefit applications and to prevent any backlog from recurring. **Pages H1655–56**

Rejected:

Issa amendment No. 6 printed in H. Rept. 107–419 that sought to place the civil service positions in the Office of the Associate Attorney General for Immigration Affairs, Bureau of Citizenship and Immigration Services, and the Bureau of Immigration Enforcement in the excepted service as defined by section 2103 of title 5, United States Code and eliminate restrictions on certain disciplinary and other adverse actions taken against employees (rejected by a recorded vote of 145 ayes to 272 noes, Roll No. 114); and **Pages H1656–65**

Lofgren amendment No. 7 printed in H. Rept. 107–419 that sought to authorize expedited procedures for procurement of information technology (rejected by a recorded vote of 105 ayes to 312 noes, Roll No. 115). **Pages H1661–66**

H. Res. 396, the rule that provided for consideration of the bill was agreed to by a recorded vote of 388 ayes to 34 noes, Roll No. 112. Agreed to order the previous question by a yea-and-nay vote of 384 yeas to 36 nays, Roll No. 111. **Pages H1625–32**

Legislative Program: Representative Portman announced the Legislative Program for the week of April 29. **Page H1667**

Consideration of Suspension on May 1: Agreed that it be in order at any time on Wednesday, May 1 for the Speaker to entertain a motion that the House suspend the rules relating to H.R. 2604, replenishment of Asian Development Fund and International Fund for Agricultural Development resources and additional policies towards the African Development Bank, the African Development Fund, the Asian Development Bank, the Inter-American

Development Bank, and the European Bank for Reconstruction and Development. **Page H1667**

Meeting Hour — Monday, April 29: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, April 29. **Page H1667**

Meeting Hour — Tuesday, April 30: Agreed that when the House adjourns on Monday, April 29, it adjourn to meet at 12:30 p.m. on Tuesday, April 30 for morning hour debate. **Page H1667**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 1. **Page H1667**

Senate Messages: Messages received from the Senate today appear on page H1621.

Referral: S. 2248 was held at the desk. **Page H1621**

Quorum Calls — Votes: One yea-and-nay vote and five recorded votes developed during the proceedings of the House today and appear on pages H1630–31, H1631–32, H1632, H1664–65, H1665–66, and H1666. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:50 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on National Foreign Intelligence Program. Testimony was heard from Jane Dempsey, Deputy Director, CIA; and George Tenet, former Director, CIA.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on District of Columbia held a hearing on D.C. Public Schools and D.C. Charter Schools. Testimony was heard from the following officials of the District of Columbia: Peggy Cooper Cafritz, President, Board of Education; Paul Vance, Superintendent, Public Schools; Josephine Baker, Chair, Public Charter School Board; and Laurent Ross, Director, Tuition Assistance Grant Program; Col. Charles J. Fiala, Jr., USA, Commander and District Engineer, Baltimore District, U.S. Army Corps of Engineers; David E. Cooper, Director, Acquisition and Sourcing Management Team, GAO; and public witnesses.

LABOR, HHS AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on Department of Education Panel: Transition into the Workforce. Testimony was heard from the following officials of the Department of Edu-

cation: Susan B. Neuman, Assistant Secretary, Elementary and Secondary Education; Robert H. Pasternack, Assistant Secretary, Special Education and Rehabilitative Services; Carol D'Amico, Assistant Secretary, Vocational and Adult Education; Sally Stroup, Assistant Secretary, Postsecondary Education; Grover J. Whitehurst, Assistant Secretary, Educational Research and Improvement; and Thomas P. Skelly, Director, Budget Service.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative held a hearing on Architect of the Capitol, and on CBO. Testimony was heard from Alan M. Hantman, Architect of the Capitol; and Dan L. Crippen, Director, CBO.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Military Installations and Facilities approved for full Committee action H.R. 4546, National Defense Authorization Act for Fiscal Year 2003.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Military Personnel approved for full Committee action H.R. 4546, National Defense Authorization Act for Fiscal Year 2003.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Armed Services: Subcommittee on Military Readiness approved for full Committee action, as amended, H.R. 4546, National Defense Authorization Act for Fiscal Year 2003.

RESTORING BUDGET DISCIPLINE

Committee on the Budget: Held a hearing on the Predictability and Control Twin Reasons for Restoring Budget Disciplines. Testimony was heard from Susan J. Irving, Director, Federal Budget Analysis, GAO; Barry B. Anderson, Deputy Director, CBO; former Representative William Frenzel of Minnesota; and public witnesses.

CITIZEN SERVICE IN THE 21ST CENTURY

Committee on Education and the Workforce: Subcommittee on Select Education held a hearing on Citizen Service in the 21st Century. Testimony was heard from Representatives Shays, Ford and Osborne; and public witnesses.

REDUCE ERGONOMIC INJURIES — OSHA's PLAN

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing

on A Review of OSHA's Plan to Reduce Ergonomic Injuries. Testimony was heard from John Henshaw, Assistant Secretary, Occupational Safety and Health, Department of Labor.

YUCCA MOUNTAIN REPOSITORY — RADIOACTIVE WASTE

Committee on Energy and Commerce: Ordered reported H.J. Res. 87, approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Policy Act of 1982.

DIGITAL AGE — ENSURING CONTENT PROTECTION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Ensuring Content Protection in the Digital Age." Testimony was heard from public witnesses.

FINANCIAL SERVICES REGULATORY RELIEF ACT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit continued hearings on H.R. 3951, Financial Services Regulatory Relief Act of 2002. Testimony was heard from public witnesses.

FEDERAL WORK FORCE SECURITY

Committee on Government Reform: Subcommittee on Technology and Procurement Policy held a hearing on Ensuring the Safety of our Federal Workforce: GSA's Use of Technology to Secure Federal Buildings. Testimony was heard from Keith A. Rhodes, Chief Technologist, GAO; the following officials of the GSA: F. Joseph Moravec, Commissioner, Public Buildings Service; and Wendell Shingler, Director, Federal Protective Service; John N. Jester, Chief, Defense Protective Service, Department of Defense; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported, as amended, the following bills: H.R. 4073, to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those Acts; and H.R. 3969, Freedom Promotion Act of 2002.

OVERSIGHT — COMMUNITY-BASED LAND MANAGEMENT AND CHARTER FORESTS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Community-Based Land Management and Charter Forests. Testimony was heard from public witnesses.

OVERSIGHT — NATIONAL PARK SERVICE MANAGEMENT POLICIES

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held an oversight hearing on the 2001 National Park Service Management Policies. Testimony was heard from Fran Mainella, Director, National Park Service, Department of the Interior.

YUCCA MOUNTAIN STORAGE FACILITY — TRANSPORTATION OF SPENT RODS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit and the Subcommittee on Railroads held a joint hearing on Transportation of Spent Rods to the Proposed Yucca Mountain Storage Facility. Testimony was heard from Senator Ensign; Representatives Gibbons and Kucinich; the following officials of the Department of Transportation: Ellen G. Engleman, Administrator, Research and Special Programs Administration; and Allan Rutter, Administrator, Federal Railroad Administration; Lake Barrett, Deputy Director, Office of Civilian Radioactive Waste Management, Department of Energy; Carl J. Paperiello, Deputy Executive Director, Operations, NRC; the following officials of the State of Nevada: Kenny Guinn, Governor; Jon C. Porter, member, Senate; and Dario Herrera, Chairman, Clark County Commission; and public witnesses.

SOCIAL SECURITY PROGRAM PROTECTION ACT

Committee on Ways and Means: Subcommittee on Social Security approved for full Committee action, as amended, H.R. 4070, Social Security Program Protection Act of 2002.

LATIN AMERICA ISSUES

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security and the Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a joint hearing on Latin America Issues. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 26, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings on the nomination of Adm. Thomas B. Fargo, USN, to be Admiral and Commander in Chief, United States Pacific Command; and the nomination of Lt. Gen. Leon J. LaPorte, USA, to be General and Commander in Chief,

United Nations Command/Combined Forces Command/Commander, United States Forces Korea, 9:30 a.m., SR-222.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families, to hold hearings to

examine families and funeral practices issues, 10 a.m., SD-430.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

10 a.m., Friday, April 26

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, April 29

Senate Chamber

Program for Friday: Senate will continue consideration of the motion to proceed to consideration of H.R. 3009, Andean Trade Preference Expansion Act.

House Chamber

Program for Monday: Pro forma session.



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